

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

March 2022 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

NISHITH THARAKA VANDEBONA,

Defendant.

CR 2:23-cr-00148-RGK

I N D I C T M E N T

[18 U.S.C. § 248(a)(1): Threatened
Forcible Intimidation Regarding
the Obtaining and Provision of
Reproductive Health Services; 18
U.S.C. § 875(c): Transmitting
Threatening Communications in
Interstate Commerce]

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

A. BACKGROUND

1. Defendant NISHITH THARAKA VANDEBONA was a resident of
Ventura County, California, within the Central District of
California.

2. Pinger was a voice-over-Internet protocol communications
platform that provided anonymous Internet-based telephone and text
messaging services free of charge.

1 3. Planned Parenthood Federation of America was a nationally
2 operating 501(c)(3) nonprofit organization headquartered in New York,
3 New York, whose publicly stated mission was "to provide comprehensive
4 reproductive health services, advocate for public policies, and
5 ensure access to services and provide sex education to enhance
6 understanding of human sexuality."

7 4. Planned Parenthood Federation of America was affiliated
8 with individual operators of health care clinics located throughout
9 the Central District of California, which were also operating as
10 501(c)(3) organizations, including Planned Parenthood California
11 Central Coast ("Planned Parenthood CC") and Planned Parenthood Los
12 Angeles ("Planned Parenthood LA") (collectively, "Planned
13 Parenthood").

14 5. Planned Parenthood, through these health care clinics,
15 provided a wide range of health, wellness, and education services to
16 the community, including vaccinations, preventative care
17 appointments, mammograms, pregnancy testing, and counseling.

18 6. Among Planned Parenthood's services, Planned Parenthood
19 publicly offered patients with reproductive health services,
20 including medical, surgical, counseling or referral services relating
21 to the human reproductive system, including services relating to
22 pregnancy or the termination of a pregnancy.

23 7. Planned Parenthood CC and Planned Parenthood LA had
24 contracts with TPx, a business telecommunications service company
25 based in Austin, Texas, whose call center specialists received and
26 processed telephone calls made to Planned Parenthood CC and Planned
27 Parenthood LA as agents of Planned Parenthood CC and Planned
28 Parenthood LA.

1 B. DEFENDANT'S EFFORTS TO INTIMIDATE PLANNED PARENTHOOD

2 8. Beginning on or before February 21, 2022, and continuing
3 through on or about June 25, 2022, defendant VANDEBONA used the
4 Internet to download Pinger and create multiple anonymous telephone
5 numbers.

6 9. In or about May and June 2022, there was widespread news
7 coverage, including within the Central District of California, that
8 the United States Supreme Court was considering overturning Roe v.
9 Wade, 410 U.S. 113 (1973), which previously recognized a
10 constitutional right to abortion, after an initial draft opinion was
11 leaked.

12 10. On or about June 16, 2022, defendant VANDEBONA acquired a
13 firearm, namely, a Remington Arms, model 870, 12-gauge pump-action
14 shotgun.

15 11. On or about June 24, 2022, the United States Supreme Court
16 released its decision in Dobbs v. Jackson Women's Health
17 Organization, 142 S. Ct. 2228 (2022), which overturned Roe v. Wade,
18 and held that the United States Constitution does not confer a right
19 to abortion. The decision was well publicized, including within the
20 Central District of California.

21 12. On or about June 24, 2022, and June 25, 2022, as set forth
22 herein, defendant VANDEBONA called Planned Parenthood and threatened
23 to shoot, kill, and murder its staff.

24 13. These Introductory Allegations are incorporated into Counts
25 One through Three of this Indictment.

COUNT ONE

[18 U.S.C. § 248(a)(1)]

On or about June 24, 2022, in Ventura County, within the Central District of California, defendant NISHITH THARAKA VANDEBONA, by threat of force, intentionally intimidated the staff and employees of Planned Parenthood CC, an operator of women's health clinics, because Planned Parenthood CC, its staff, and its employees were and had been providing and because the patients of Planned Parenthood CC were and had been obtaining reproductive health services, and in order to intimidate Planned Parenthood CC, its staff, and its employees from providing reproductive health services. Specifically, defendant VANDEBONA left a voicemail for a Planned Parenthood CC employee containing the following statements and others: "Fucking bitch-ass whore. I'm going to come in there and kill you. You understand? You're going around harming innocent people? Those children are innocent. You're going to get fucking killed bitch, you understand that right? Includes your staff too. You're the boss or what? Go feed a dick. Fucking whore."

COUNT TWO

[18 U.S.C. § 248(a)(1)]

On or about June 25, 2022, in Ventura County, within the Central District of California, defendant NISHITH THARAKA VANDEBONA, by threat of force, intentionally intimidated the staff and employees of Planned Parenthood LA, an operator of women's health clinics, because Planned Parenthood LA, its staff, and its employees were and had been providing and because the patients of Planned Parenthood LA were and had been obtaining reproductive health services, and in order to intimidate Planned Parenthood LA, its staff, and its employees from providing reproductive health services. Specifically, defendant VANDEBONA called and spoke to a Planned Parenthood LA call center specialist and made the following statements and others: "I'm calling to let you know that I'm going to come in there and kill all of you, including your staff and your security. You got it? You're overdue for an attack."

COUNT THREE

[18 U.S.C. § 248(a)(1)]

On or about June 25, 2022, in Ventura County, within the Central District of California, defendant NISHITH THARAKA VANDEBONA, by threat of force, intentionally intimidated the staff and employees of Planned Parenthood LA, an operator of women's health clinics, because Planned Parenthood LA, its staff, and its employees were and had been providing and because the patients of Planned Parenthood LA were and had been obtaining reproductive health services, and in order to intimidate Planned Parenthood LA, its staff, and its employees from providing reproductive health services. Specifically, defendant VANDEBONA called and spoke to a Planned Parenthood LA call center specialist and made the following statements and others:

(1) "I'm calling to let you know that you're gonna have a tragedy at the Santa Monica location here soon. I'm gonna come in there and kill your staff and your security."

(2) "You guys aren't safe, understand that? You might want to call and let them know, and the police won't save you either."

(3) "I'm gonna come in there and murder your staff."

(4) "You're gonna get shot and killed. Do you understand that?"

COUNT FOUR

[18 U.S.C. § 875(c)]

On or about February 21, 2022, in Ventura County, within the Central District of California, defendant NISHITH THARAKA VANDEBONA, with the intent to issue a threat, and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce, a communication, that is, a telephone call to Californians for Population Stabilization ("CAPS"), that contained a true threat to injure the person of another. Specifically, defendant VANDEBONA left a voicemail for a CAPS employee containing the following statements and others:

(1) "I'm gonna come in there, plant a bomb, and kill as many white Americans as possible. You understand that? Servicemen, families, everybody."

(2) "You are gonna see innocent people killed in your town, okay?"

(3) "I'm gonna come in that motherfucker and kill all of you."

COUNT FIVE

[18 U.S.C. § 875(c)]

On or about February 22, 2022, in Ventura County, within the Central District of California, defendant NISHITH THARAKA VANDEBONA, with the intent to issue a threat, and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce, a communication, that is, a telephone call to Californians for Population Stabilization ("CAPS"), that contained a true threat to injure the person of another. Specifically, defendant VANDEBONA left a voicemail for a CAPS employee containing the

//

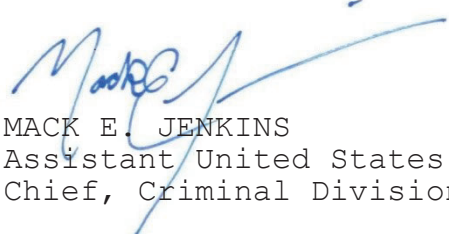
//

1 following statements and others: "I'm gonna come in there and kill
2 all of you dude. Be careful."

3
4 A TRUE BILL

5 /s/
6 Foreperson

7 E. MARTIN ESTRADA
8 United States Attorney

9 
10 MACK E. JENKINS
11 Assistant United States Attorney
12 Chief, Criminal Division

13 LINDSEY GREER DOTSON
14 Assistant United States Attorney
15 Chief, Public Corruption and
16 Civil Rights Section

17 FRANCES S. LEWIS
18 Assistant United States Attorney
19 Public Corruption and Civil
20 Rights Section

21 JULIUS J. NAM
22 Assistant United States Attorney
23 Public Corruption and Civil
24 Rights Section
25
26
27
28